



Education Council Action Packet

April 21, 2006

1:45 – 3:45 pm

Morris Hall

Allan G. Bense
Speaker

Dennis K. Baxley
Council Chair

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dennis Baxley (Chair)	X		
Rafael Arza	X		
Loranne Ausley	X		
Dorothy Bendross-Mindingall	X		
Larry Cretul	X		
David Mealor	X		
Pat Patterson	X		
Joe Pickens	X		
David Rivera	X		
John Stargel	X		
Totals:	10	0	0

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HB 119 CS : Postsecondary Student Fees

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Rafael Arza			X		
Loranne Ausley	X				
Dorothy Bendross-Mindingall	X				
Larry Cretul	X				
David Mealor	X				
Pat Patterson	X				
Joe Pickens			X		
David Rivera			X		
John Stargel	X				
Dennis Baxley (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Appearances:

HB 119

Barbara Cohen Pippin, Special Asst. to the President - Proponent

Broward Community College

225 East Las Olas Boulevard

Ft. Lauderdale Florida 33301

Phone: 954-201-7410

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HJR 447 CS : Requiring 65 Percent of Education Funds for Classroom Related Instruction; Flexible Class Size Reduction Implementation

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Rafael Arza	X				
Loranne Ausley		X			
Dorothy Bendross-Mindingall		X			
Larry Cretul	X				
David Mealor	X				
Pat Patterson	X				
Joe Pickens	X				
David Rivera	X				
John Stargel	X				
Dennis Baxley (Chair)	X				
Total Yeas: 8		Total Nays: 2			

Appearances:

HB 447 CS

Wendy Hosking, Director of Gov't Affairs - Proponent

Polk County Schools

P. O. Box 391

Bartow Florida 33831

Phone: 863-640-1547

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HB 665 : Florida Virtual School

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Rafael Arza			X		
Loranne Ausley	X				
Dorothy Bendross-Mindingall	X				
Larry Cretul	X				
David Mealor	X				
Pat Patterson	X				
Joe Pickens			X		
David Rivera			X		
John Stargel	X				
Dennis Baxley (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Appearances:

HB 665 - Virtual School Search Pilot

Wendy Hosking, Director of Gov't Affairs - Proponent

Polk County Schools

P. O. Box 391

Bartow Florida 33831

HB 665

Connie Milito - Proponent

Hillsborough County Public Schools

901 East Kennedy Boulevard

Tallahassee Florida 33602

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HB 1373 CS : Supplemental Educational Services

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Rafael Arza	X				
Loranne Ausley	X				
Dorothy Bendross-Mindingall	X				
Larry Cretul	X				
David Mealor	X				
Pat Patterson	X				
Joe Pickens	X				
David Rivera	X				
John Stargel	X				
Dennis Baxley (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Appearances:

HB 1373 CS

Mark Walsh, Director of Govt Relations - Information Only
Department of Education
325 West Gaines Street
Tallahassee Florida 32399

HB 1373 CS - Strike All Amendment

Wendy Hosking, Director of Gov't Affairs - Opponent
Polk County Schools
P. O. Box 391
Bartow Florida 33831
Phone: 863-640-1547

HB 1373 CS

Scott Howat, Director - Opponent
Legislative and Congressional Relations
3096 Nicholson Drive
Winter Park FL 32792

HB 1373 CS

Mike O'Farrell - Information Only
Mixon and Associates
119 East Park Avenue
Tallahassee Florida 32301
Phone: 222-2591

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HB 1373 CS

Joy Frank, Legislative Liaison - Information Only

Florida Association of District School Superintendents

208 South Monroe Street

Tallahassee Florida 32301

Phone: 850-509-4242

HB 1373 CS

Martin Miller, President - Information Only

Duval County Schools

1612 Bay Circle West

Orange Park Florida 32073

Phone: 904-537-0207

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HJR 1573 CS : Equal Opportunity to Obtain a High Quality Education

☒ *Temporarily Deferred*

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HB 7097 CS : Postsecondary Education

☒

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Rafael Arza			X		
Loranne Ausley	X				
Dorothy Bendross-Mindingall	X				
Larry Cretul	X				
David Mealor	X				
Pat Patterson	X				
Joe Pickens			X		
David Rivera			X		
John Stargel	X				
Dennis Baxley (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

HB 7171 CS : Charter Schools

☒

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Rafael Arza	X				
Loranne Ausley	X				
Dorothy Bendross-Mindingall		X			
Larry Cretul	X				
David Mealor	X				
Pat Patterson	X				
Joe Pickens	X				
David Rivera			X		
John Stargel	X				
Dennis Baxley (Chair)	X				
Total Yeas: 8		Total Nays: 1			

Appearances:

HB 7171 CS

Wendy Hosking, Director of Gov't Affairs - Information Only

Polk County Schools

P. O. Box 391

Bartow Florida 33831

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

COUNCIL MEETING REPORT

Education Council

4/21/2006 1:15:00PM

Location: Morris Hall (17 HOB)

Summary:

Education Council

Friday April 21, 2006 01:15 pm

HB 119 CS	Favorable	Yeas: 7	Nays: 0
HJR 447 CS	Favorable With Committee Substitute	Yeas: 8	Nays: 2
HB 665	Favorable	Yeas: 7	Nays: 0
HB 1373 CS	Favorable With Committee Substitute	Yeas: 10	Nays: 0
HJR 1573 CS	Temporarily Deferred		
HB 7097 CS	Favorable With Committee Substitute	Yeas: 7	Nays: 0
HB 7171 CS	Favorable With Committee Substitute	Yeas: 8	Nays: 1

Committee meeting was reported out: Friday, April 21, 2006 4:00:50PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. HJR 447C1

COUNCIL/COMMITTEE ACTION

ADOPTED	<u>✓</u> (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Council/Committee hearing bill: Education Council

Representative(s) Stargel offered the following:

Amendment (with ballot statement)

Remove line(s) 63-73 and insert:

(c) Funding for a high quality public K-12 education through classroom instruction is fundamental. To make adequate provision for a high quality public K-12 education, at least sixty-five percent of school funding received by school districts shall be spent on classroom instruction, rather than on administration. Classroom instruction and administration shall be defined by law.

(d) (1) ~~(b)~~ Every four-year old child in Florida shall be

===== B A L L O T S T A T E M E N T A M E N D M E N T =====

Remove line(s) 98-116 and insert:

REQUIRING 65 PERCENT OF SCHOOL FUNDING FOR CLASSROOM INSTRUCTION; FLEXIBLE CLASS SIZE REDUCTION IMPLEMENTATION.--Proposing an amendment to the State Constitution to provide that funding for high quality public K-12 education through classroom instruction is fundamental; to provide that to make adequate provision for a high quality

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

public K-12 education, at least sixty-five percent of school funding received by school districts shall be spent on classroom instruction rather than on administration; to provide that classroom instruction and administration shall be defined by law; to provide flexibility for school districts in meeting class size reduction requirements by calculating compliance at a school district average number of students who are assigned to a teacher in specified grades; to specify the maximum number of students who may be assigned to one teacher in an individual class; to require implementation of the class size reduction requirements by the beginning of the 2009-2010 school year and for each school year thereafter; and to exempt virtual classes from the class size requirements.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 1373

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N)
ADOPTED AS AMENDED ☐ (Y/N)
ADOPTED W/O OBJECTION ☐ (Y/N)
FAILED TO ADOPT ☐ (Y/N)
WITHDRAWN ☐ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Education Council
2 Representative Attkisson offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6
7 Section 1. Supplemental educational services in Title I
8 schools; student access and provider accountability.--

9 (1) The Department of Education shall establish a committee
10 of practitioners, pursuant to federal requirements. The
11 committee members shall be appointed by the Commissioner of
12 Education and shall annually report to the Governor, President
13 of Senate, and Speaker of the House by January 1. The committee
14 is authorized to review potential rules that will be considered
15 by the State Board of Education.

16 (2) Incentives.- Providers or school districts may not
17 provide incentives to entice a student or a student's parent to
18 choose them as a provider. After a provider has been chosen, the
19 student may be awarded incentives for performance or attendance,
20 the total value of which may not exceed \$50.

21 (3) Responsibilities of the school district and provider.-

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 (a) School districts must establish processes for eligible
23 students to begin receiving services no later than October 15,
24 of each school year.

25 (b) State-approved supplemental education services
26 providers must be able to provide services to eligible students
27 no later than October 15, of each school year.

28 (c) School districts shall provide access to school
29 facilities to providers who wish to use these sites for
30 supplemental educational services using the same policies
31 applied to other organizations that have access to the school
32 sites.

33 (4) Penalties for non-compliance.

34 (a) Compliance is met when the school district has obtained
35 a written election to receive or reject services from the
36 parents of at least 80-percent of the students receiving free or
37 reduced price lunch in Title I schools that are eligible for
38 choice with transportation or supplemental educational services,
39 unless a waiver is granted by the State Board of Education. A
40 waiver shall only be granted if there is clear and convincing
41 evidence of the district's efforts to secure parents' written
42 election. Requirements for parental election to receive
43 supplemental services shall not exceed the election requirements
44 for the free and reduced lunch program.

45 (b) A provider must be able to deliver services to
46 districts in which the provider is approved by the state. If a
47 state-approved provider withdraws from offering services to
48 students in a school district for which it is approved and in
49 which it has either signed a contract to provide services or a
50 letter of intent and the minimums per site set by the provider
51 have been met, the school district must report the provider to
52 the department. The provider will be immediately removed from

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

53 the state approved list for the current school year for that
54 district. Upon the second such withdrawal in any school
55 district, the provider shall be ineligible to provide services
56 in the state the following year.

57 (c) If the school district has not spent the required
58 supplemental educational services set-aside funding, the
59 district may apply to the Department of Education after January
60 1 for authorization to reallocate the funds. If the Commissioner
61 of Education does not approve the reallocation of funds, the
62 district may appeal to the State Board of Education whose
63 decision shall be final. The State Board of Education must
64 consider the appeal within 60 days.

65 (5) The State Board of Education may adopt rules pursuant
66 to ss. 120.536(1) and 120.54 to implement the provisions of this
67 section and may enforce the provisions of this section pursuant
68 to s. 1008.32.

69
70 Section 2. This act shall take effect July 1, 2006.
71
72

73 ===== T I T L E A M E N D M E N T =====

74 Remove the entire title and insert:

75 A bill to be entitled

76 An act relating to supplemental educational services;
77 requiring the Department of Education to establish a committee
78 of practitioners; providing for appointments and authority;
79 authorizing incentives for performance or attendance;
80 establishing limits; establishing responsibilities of school
81 districts and providers; providing penalties for non-compliance;
82 authorizing application for reallocation of funds; providing for
83 an appeal; establishing a timeline; authorizing adoption of
84 rules and providing for enforcement; providing an effective
85 date.
86

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 7097 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Education Council

Representative Patterson offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (4) is added to section 1001.44,
Florida Statutes, to read:

1001.44 Career centers.--

(4) DISTRICT SCHOOL BOARD CAREER CENTER PROGRAM

DELIVERY.--

(a) A district school board with an established career center as part of the district school system may enter into an articulation agreement for the delivery of specified associate in applied science degree programs.

(b) A career center that offers a postsecondary adult vocational program designed to articulate into an associate in applied science degree program and enters into an articulation agreement for the delivery of such an associate in applied science degree program may use the designation "technical college."

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Amnd #1

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

21 (c) For purposes of this subsection, "postsecondary adult
22 vocational program" is a job preparatory program, excluding
23 continuing workforce education, through which a student receives
24 a vocational certificate upon completion of instruction.

25 Section 2. Subsection (20) is added to section 1002.34,
26 Florida Statutes, to read:

27 1002.34 Charter technical career centers.--

28 (20) DESIGNATION AS A TECHNICAL COLLEGE.--A charter
29 technical career center that offers a postsecondary adult
30 vocational program designed to articulate into an associate in
31 applied science degree program and enters into an articulation
32 agreement for the delivery of such an associate in applied
33 science degree program may use the designation "technical
34 college." For purposes of this subsection, "postsecondary adult
35 vocational program" is a job preparatory program, excluding
36 continuing workforce education, through which a student receives
37 a vocational certificate upon completion of instruction.

38 Section 3. Subsection (3) of section 1007.22, Florida
39 Statutes, is amended to read:

40 1007.22 Articulation; postsecondary institution
41 coordination and collaboration.--

42 (3) Public postsecondary educational institutions ~~serving~~
43 ~~the same students in a geographic and service area~~ are
44 encouraged to establish appropriate interinstitutional
45 mechanisms to achieve cooperative planning and delivery of
46 academic programs and related services, share a high-cost
47 instructional facility and equipment, coordinate credit and
48 noncredit outreach activities, have access to each other's
49 library and media holdings and services, and provide cooperative
50 campus activities and consultative relationships for the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

discussion and resolution of interinstitutional issues and problems which discourage student access or transfer.

Section 4. Subsections (1) and (3) of section 1007.23, Florida Statutes, are amended to read:

1007.23 Statewide articulation agreement.--

(1) The State Board of Education shall establish in rule a statewide articulation agreement that governs:

(a) Articulation between secondary and postsecondary education, including credit earned through high school career and technical education majors and career academies;

(b) Admission of associate in arts degree graduates from community colleges and state universities;

(c) Admission of applied technology diploma program graduates from community colleges or career centers;

(d) Admission of associate in science degree and associate in applied science degree graduates from community colleges;

(e) The use of acceleration mechanisms, including nationally standardized examinations through which students may earn credit;

(f) General education requirements and statewide course numbers as provided for in ss. 1007.24 and 1007.25; ~~and~~

(g) Articulation among programs in nursing; ~~and~~

(h) Admission of postsecondary vocational, technical, or career certificate or diploma graduates from school district career centers or charter technical career centers.

(3) The articulation agreement must guarantee the statewide articulation of appropriate workforce education development programs and courses between school districts and community colleges and specifically provide that every applied technology diploma graduate must be granted the same amount of

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Amendment No. 1 (for drafter's use only)

81 credit upon admission to an associate in science degree or
82 associate in applied science degree program unless it is a
83 limited access program. Preference for admission must be given
84 to graduates who are residents of Florida.

85 Section 5. Section 1007.234, Florida Statutes, is created
86 to read:

87 1007.234 - Statewide Articulation Agreements for
88 Articulated Career Paths

89 (1) By March 1, 2007, the State Board of Education, in
90 consultation with the Board of Governors, shall establish
91 statewide articulation agreements for articulated career paths
92 for specific workforce education professions, including, but not
93 limited to, the program areas of criminal justice, business,
94 manufacturing, nursing, allied health, and early childhood
95 education. The career paths shall provide for the articulation
96 of:

97 (a) Credit earned in vocational, technical, or career
98 certificate or diploma programs to associate in science degrees
99 or associate in applied science degrees.

100 (b) Credit earned in associate in science degree programs
101 to credit in baccalaureate degree programs.

102 (c) Credit awarded by public and private institutions.

103 (d) Credit for experiential learning associated with
104 minimum training requirements for employment.

105 (2) To participate in a statewide articulation agreement
106 for an articulated career path required in this section,
107 nonpublic colleges and schools must be fully accredited by a
108 regional or national accrediting agency recognized by the United
109 States Department of Education, must participate in the Florida

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

10 Education and Training Placement Information Program pursuant to
111 s. 1008.39, and must meet one of the following criteria:

112 (a) Be eligible to participate in the William L. Boyd, IV,
113 Florida Resident Access Grant; or

114 (b) Have been issued a license pursuant to s. 1005.31 or
115 s. 1005.32 and use an assessment required in s. 1005.04(1)(b)
116 that has been recommended by the State Board of Education. For
117 courses not in the statewide course numbering system pursuant to
118 s. 1007.24, credits to be accepted by a receiving institution
119 must be generated in courses for which the faculty possess
120 credentials that are comparable to those required by the
121 accrediting association of the receiving institution.

122 (3) By December 30, 2006, to determine the appropriate
123 courses and programs for statewide articulation agreements for
124 career paths, the Office of Program Policy Analysis and
125 Government Accountability shall collect, review, and conduct an
126 assessment of all existing articulation agreements between
127 school district career centers or charter technical career
128 centers and community colleges.

129 (4) The Office of Program Policy Analysis and Government
130 Accountability shall use the information compiled pursuant to
131 subsection (3) to evaluate the effectiveness of articulation
132 agreements for articulated career paths and to identify other
133 postsecondary technical or career programs within a school
134 district career center or charter technical career center that
135 may articulate to an associate in science degree program or an
136 associate in applied science degree program on an individual
137 course or block basis for statewide articulation agreements for
138 career paths. By December 30, 2007, the Office of Program Policy
139 Analysis and Government Accountability shall submit a report to

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

140 the President of the Senate and the Speaker of the House of
141 Representatives.

142 (5) The Office of Program Policy Analysis and Government
143 Accountability shall review all career paths that provide for
144 the articulation of credit awarded by public and private
145 institutions as required pursuant to subsection (1). The review
146 shall include an assessment of methods used to evaluate a
147 student's ability to successfully complete the course of study
148 for which the student has applied before accepting the student
149 into the program; completion rates; job placement rates; and the
150 method used by institutions to report data. By December 30,
151 2007, the Office of Program Policy Analysis and Government
152 Accountability shall submit a report to the President of the
153 Senate and the Speaker of the House of Representatives.

154 Section 6. Section 1011.802, Florida Statutes, is created
155 to read:

156 1011.802 School District Career Center Facility
157 Enhancement Challenge Grant Program.--

158 (1) There is established the School District Career Center
159 Facility Enhancement Challenge Grant Program for the purpose of
160 assisting career centers in building high priority instructional
161 capital facilities consistent with s. 1001.44, including common
162 areas connecting such facilities. The direct-support
163 organizations that serve the school districts may solicit gifts
164 from private sources which are eligible for state matching funds
165 for capital facilities. For purposes of this section, private
166 sources of funds shall not include any federal, state, or local
167 government funds that a school district may receive.

168 (2) The School District Career Center Facility Enhancement
169 Challenge Grant Program shall provide funds to match private

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

170 contributions for the development of high priority instructional
171 capital facilities, including common areas connecting such
172 facilities, within the career centers.

173 (3) Within the direct-support organization of each school
174 district, a separate career center capital facilities matching
175 account must be established for the purpose of providing
176 matching funds from the direct-support organization's
177 unrestricted donations or other private contributions for the
178 development of high priority instructional capital facilities,
179 including common areas connecting such facilities. The
180 Legislature may appropriate funds for distribution to a school
181 district after matching funds are certified by the direct-
182 support organization and school district to the Department of
183 Education. The Public Education Capital Outlay and Debt Service
184 Trust Fund shall not be used as the source of the state match
185 for private contributions.

186 (4) A project may not be initiated unless all private
187 funds for planning, construction, and equipping the facility
188 have been received and deposited in the direct-support
189 organization's matching account and the state's share for the
190 minimum amount of funds needed to begin the project has been
191 appropriated by the Legislature. The Legislature may appropriate
192 the state's matching funds in one or more fiscal years for the
193 planning, construction, and equipping of an eligible facility.
194 However, these requirements shall not preclude the school
195 district or direct-support organization from expending available
196 funds from private sources to develop a prospectus, including
197 preliminary architectural schematics or models, for use in its
198 efforts to raise private funds for a facility. Additionally, any
199 private sources of funds expended for this purpose are eligible

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

200 for state matching funds if the project is awarded grant funds
201 under this section.

202 (5) To be eligible to participate in the School District
203 Career Center Facility Enhancement Challenge Grant Program, a
204 school district, through its direct-support organization, shall
205 raise contributions from private sources equal to one-third of
206 the total cost of a facility construction project. After raising
207 such contributions, the school district shall be eligible for a
208 match by a state appropriation equal to the amount raised for a
209 facility construction project up to one-third of the cost of the
210 project, subject to the General Appropriations Act. Another one-
211 third of the total cost must be provided from the school
212 district's local capital funds.

213 (6) If the state's share of the required match is
214 insufficient to meet the requirements of subsection (5), the
215 school district shall renegotiate the terms of the contribution
216 with the donors. If the project is terminated, each private
217 donation, plus accrued interest, shall revert to the direct-
218 support organization for remittance to the donor at the donor's
219 discretion.

220 (7) By September 1 of each year, the State Board of
221 Education shall transmit to the Legislature, in the capital
222 outlay budget request, a list of projects that meet all
223 eligibility requirements to participate in the School District
224 Career Center Facility Enhancement Challenge Grant Program and a
225 budget request that includes the recommended schedule necessary
226 to complete each project.

227 (8) In order for a project to be eligible under this
228 program, it must be survey-recommended under the provisions of
229 s. 1013.31, included in the school district's 5-year capital

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30 improvement plan, and receive prior approval from the State
231 Board of Education.

232 (9) Any project funds that are unexpended after a project
233 is completed shall revert to the school district direct-support
234 organization's career center capital facilities matching
235 account. One-third of such unexpended funds shall be reserved
236 for the school district career center that originally received
237 the private contribution for the purpose of providing private
238 matching funds for future facility construction projects as
239 provided in this section. One-third of such unexpended funds
240 shall be returned to the General Revenue Fund. One-third of such
241 unexpended funds shall be returned to the school district.

242 (10) The surveys, architectural plans, facility, and
243 equipment shall be the property of the participating school
244 district.

45 Section 7. This act shall take effect July 1, 2006.

246
247 ===== T I T L E A M E N D M E N T =====

248 Remove line(s) 18-38 and insert:

249
250 agreement; revising terminology; creating s. 1007.234,
251 F.S.; requiring the State Board of Education, in
252 consultation with the Board of Governors, to establish
253 statewide articulation agreements for articulated career
254 paths for specific professions; requiring career paths to
255 provide credit for certain programs and experiential
256 learning; providing criteria for participation by
257 nonpublic colleges and schools in the statewide
258 articulation agreements for articulated career paths;
259 requiring the Office of Program Policy Analysis and

04-20-06, 3:15pm

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Government Accountability to assess articulation agreements and identify career center programs that may articulate to certain degree programs; requiring recommendations; requiring the Office of Program Policy Analysis and Government Accountability to review career paths for articulation of credit awarded by public and private institutions; creating s. 1011.802, F.S.; establishing the School District Career Center Facility Enhancement Challenge Grant Program; authorizing a school district direct-support organization to solicit funds and establish a separate career center capital facilities matching account for private contributions for instructional facility construction projects; providing for match by state appropriations; providing for a portion of the cost of a facility construction project to be provided from a school district's local capital funds; providing State Board of Education requirements relating to capital outlay budget requests for such projects; providing for reversion of funds; providing an effective date.

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Amnd #1

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a (for drafter's use only)

Bill No. HB 7097 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Education Council

Representative Patterson offered the following:

Amendment to amendment 1 (with title amendment)

After line 244, insert:

Section 7. Subsections (1), (2), (3), and (5) of section 1011.94, Florida Statutes, are amended and subsection (7) is added to that section, to read:

1011.94 Trust Fund for University Major Gifts.--

(1) There is established a Trust Fund for University Major Gifts. The purpose of the trust fund is to enable the Board of Governors Foundation and each state university and New College to provide donors with an incentive in the form of matching grants for donations for the establishment of permanent endowments and sales tax exemption matching funds received pursuant to s. 212.08(5)(j), which must be invested, with the proceeds of the investment used to support libraries and instruction and research programs, as defined by the Board of Governors ~~State Board of Education~~. All funds appropriated for the challenge grants, new donors, major gifts, sales tax exemption matching funds pursuant to s. 212.08(5)(j), or eminent

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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22 scholars program may be deposited into the trust fund and
23 invested pursuant to s. 17.61 until ~~the State Board of Education~~
24 ~~allocates~~ the funds are allocated to universities to match
25 private donations. Notwithstanding s. 216.301 and pursuant to s.
26 216.351, any undisbursed balance remaining in the trust fund and
27 interest income accruing to the portion of the trust fund which
28 is not matched and distributed to universities must remain in
29 the trust fund and be used to increase the total funds available
30 for challenge grants. Funds deposited in the trust fund for the
31 sales tax exemption matching program authorized in s.
32 212.08(5)(j), and interest earnings thereon, shall be maintained
33 in a separate account within the Trust Fund for University Major
34 Gifts, and may be used only to match qualified sales tax
35 exemptions that a certified business designates for use by state
36 universities and community colleges to support research and
37 development projects requested by the certified business. The
38 ~~State Board of Education may authorize any university to~~
39 ~~encumber the state matching portion of a challenge grant from~~
40 ~~funds available under s. 1011.45.~~

41 (2) The Board of Governors ~~State Board of Education~~ shall
42 specify the process for submission, documentation, and approval
43 of requests for matching funds, accountability for endowments
44 and proceeds of endowments, allocations to universities,
45 restrictions on the use of the proceeds from endowments, and
46 criteria used in determining the value of donations.

47 (3) ~~(a) The State Board of Education shall allocate the~~
48 ~~amount appropriated to the trust fund to each university and New~~
49 ~~College based on the amount of the donation and the restrictions~~
50 ~~applied to the donation.~~

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Amendment #1a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a (for drafter's use only)

51 ~~(b)~~ Donations for a specific purpose are eligible to ~~must~~
52 be matched in the following manner:

53 ~~(a)1-~~ Each university that raises at least \$100,000 but no
54 more than \$599,999 from a private source may ~~must~~ receive a
55 matching grant equal to 50 percent of the private contribution.

56 ~~(b)2-~~ Each university that raises a contribution of at
57 least \$600,000 but no more than \$1 million from a private source
58 may ~~must~~ receive a matching grant equal to 70 percent of the
59 private contribution.

60 ~~(c)3-~~ Each university that raises a contribution in excess
61 of \$1 million but no more than \$1.5 million from a private
62 source may ~~must~~ receive a matching grant equal to 75 percent of
63 the private contribution.

64 ~~(d)4-~~ Each university that raises a contribution in excess
65 of \$1.5 million but no more than \$2 million from a private
66 source may ~~must~~ receive a matching grant equal to 80 percent of
67 the private contribution.

68 ~~(e)5-~~ Each university that raises a contribution in excess
69 of \$2 million from a private source may ~~must~~ receive a matching
70 grant equal to 100 percent of the private contribution.

71 ~~(c) The State Board of Education shall encumber state~~
72 ~~matching funds for any pledged contributions, pro rata, based on~~
73 ~~the requirements for state matching funds as specified for the~~
74 ~~particular challenge grant and the amount of the private~~
75 ~~donations actually received by the university for the respective~~
76 ~~challenge grant.~~

77 (5) (a) The Board of Governors Foundation and each state
78 university foundation ~~and New College Foundation~~ shall establish
79 a challenge grant account for each challenge grant as a
80 depository for private contributions and state matching funds to
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Amendment No. 1a (for drafter's use only)

81 be administered on behalf of the Board of Governors or the state
82 ~~Board of Education, the university, or New College.~~ State
83 matching funds must be transferred to a university foundation ~~or~~
84 ~~New College Foundation~~ upon notification that the university ~~or~~
85 ~~New College~~ has received and deposited the amount specified in
86 this section in a foundation challenge grant account.

87 (b) The foundation serving a state university and ~~New~~
88 ~~College Foundation~~ each has the responsibility for the
89 maintenance and investment of its challenge grant account and
90 for the administration of the program on behalf of the
91 university ~~or New College~~, pursuant to procedures specified by
92 the Board of Governors ~~State Board of Education~~. Each foundation
93 shall include in its annual report to the Board of Governors
94 ~~State Board of Education~~ information concerning collection and
95 investment of matching gifts and donations and investment of the
96 account.

97 (c) A donation of at least \$600,000 and associated state
98 matching funds may be used to designate an Eminent Scholar
99 Endowed Chair pursuant to procedures specified by the Board of
100 Governors ~~State Board of Education~~.

101 (7) The Board of Governors Foundation may participate in
102 the same manner as a university foundation with regard to the
103 provisions of this section.
104
105

106 ===== T I T L E A M E N D M E N T =====

107 Remove line 278 and insert:
108 providing for reversion of funds; amending s. 1011.94, F.S.;
109 authorizing the Board of Governors Foundation to participate in
110 the program; transferring responsibilities relating to the Trust
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a(for drafter's use only)

111 Fund for University Major Gifts from the State Board of
112 Education to the Board of Governors; revising match provisions;
113 removing authority for encumbrances; providing an effective

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Amendment #1a

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Amendment No. 1

Bill No. 7171

COUNCIL/COMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u>✓</u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Council/Committee hearing bill: Education Council
2 Representative(s) Stargel, Legg, Arza offered the following:
3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:
6 Section 1. Section 1002.335, Florida Statutes, is created
7 to read:

8 1002.335 Florida Schools of Excellence Commission.--

9 (1) FINDINGS.--The Legislature finds that:

10 (a) Charter schools are a critical component in the
11 state's efforts to provide efficient and high-quality schools
12 within the state's uniform system of public education.

13 (b) Charter schools provide valuable educational options
14 and innovative learning opportunities while expanding the
15 capacity of the state's system of public education and
16 empowering parents with the ability to make choices that best
17 fit the individual needs of their children.

18 (c) The growth of charter schools in the state has
19 contributed to enhanced student performance, greater efficiency,
20 and the improvement of all public schools.

21 (2) INTENT.--It is the intent of the Legislature that:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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22 (a) There be established an independent, state-level
23 commission whose primary focus is the development and support of
24 charter schools in order to better meet the growing and diverse
25 needs of some of the increasing number and array of charter
26 schools in the state and to further ensure that charter schools
27 of the highest academic quality are approved and supported
28 throughout the state in an efficient manner.

29 (b) New sources of community support in the form of
30 municipalities with knowledge of the unique needs of a
31 particular community or state universities, community colleges,
32 or regional educational consortia with special education
33 expertise should be authorized to participate in developing and
34 supporting charter schools that maximize access to a wide
35 variety of high-quality educational options for all students
36 regardless of disability, race, or socioeconomic status.

37 (3) FLORIDA SCHOOLS OF EXCELLENCE COMMISSION.--

38 (a) The Florida Schools of Excellence Commission is
39 established as an independent, state-level charter school
40 authorizing entity working in collaboration with the Department
41 of Education and under the supervision of the State Board of
42 Education. Startup funds necessary to establish and operate the
43 commission may be received through private contributions and
44 federal and other institutional grants through the Grants and
45 Donations Trust Fund and the Educational Aids Trust Fund housed
46 within the department in addition to funds provided in the
47 General Appropriations Act. The department shall assist in
48 securing federal and other institutional grant funds to
49 establish the commission.

50 (b) The commission shall be appointed by the State Board
51 of Education and shall be composed of three appointees
52 recommended by the Governor, two appointees recommended by the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

53 President of the Senate, and two appointees recommended by the
54 Speaker of the House of Representatives. The Governor, the
55 President of the Senate, and the Speaker of the House of
56 Representatives shall each recommend a list of no fewer than two
57 nominees for any appointment to the commission. The appointments
58 shall be made as soon as feasible but no later than September 1,
59 2006. Each member shall serve a term of 2 years; however, for
60 the purpose of providing staggered terms, of the initial
61 appointments, three members shall be appointed to 1-year terms
62 and four members shall be appointed to 2-year terms. Thereafter,
63 each appointee shall serve a 2-year term unless the State Board
64 of Education, after review, extends the appointment. If a
65 vacancy occurs on the commission, it shall be filled by the
66 State Board of Education from a recommendation by the
67 appropriate authority according to the procedure set forth in
68 this paragraph. The members of the commission shall annually
69 vote to appoint a chair and a vice chair.

70 (c) The commission is encouraged to convene its first
71 meeting no later than October 1, 2006, and, thereafter, shall
72 meet each month at the call of the chair or upon the request of
73 four members of the commission. Four members of the commission
74 shall constitute a quorum.

75 (d) The commission shall appoint an executive director who
76 shall employ such staff as is necessary to perform the
77 administrative duties and responsibilities of the commission.

78 (e) The members of the commission shall not be compensated
79 for their services on the commission but may be reimbursed for
80 per diem and travel expenses pursuant to s. 112.061.

81 (4) POWERS AND DUTIES.--

82 (a) The commission shall have the power to:

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83 1. Authorize and act as a sponsor of charter schools,
84 including the approval or denial of charter school applications
85 pursuant to subsection (8) and the nonrenewal or termination of
86 charter schools pursuant to s. 1002.33(8).

87 2. Authorize municipalities, state universities, community
88 colleges, and regional educational consortia to act as
89 cosponsors of charter schools, including the approval or denial
90 of cosponsor applications pursuant to State Board of Education
91 rule and subsection (5) and the revocation of approval of
92 cosponsors pursuant to State Board of Education rule and
93 subsection (7).

94 3. Approve or deny Florida Schools of Excellence (FSE)
95 charter school applications and renew or terminate charters of
96 FSE charter schools.

97 4. Conduct facility and curriculum reviews of charter
98 schools approved by the commission or one of its cosponsors.

99 (b) The commission shall have the following duties:

100 1. Review charter school applications and assist in the
101 establishment of Florida Schools of Excellence (FSE) charter
102 schools throughout the state. An FSE charter school shall exist
103 as a public school within the state as a component of the
104 delivery of public education within Florida's K-20 education
105 system.

106 2. Develop, promote, and disseminate best practices for
107 charter schools and charter school sponsors in order to ensure
108 that high-quality charter schools are developed and
109 incentivized. At a minimum, the best practices shall encourage
110 the development and replication of academically and financially
111 proven charter school programs.

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12 3. Develop, promote, and require high standards of
113 accountability for any school that applies and is granted a
114 charter under this section.

115 4. Monitor and annually review the performance of
116 cosponsors approved pursuant to this section. The commission
117 shall annually review and evaluate the performance of each
118 cosponsor based upon the financial and administrative support
119 provided to the cosponsor's charter schools and the quality of
120 charter schools approved by the cosponsor, including the
121 academic performance of the students that attend those schools.

122 5. Monitor and annually review and evaluate the academic
123 and financial performance of the charter schools it sponsors and
124 hold the schools accountable for their performance pursuant to
125 the provisions of paragraph 5(c) and chapter 1008.

126 6. Report the student enrollment in each of its sponsored
127 charter schools to the district school board of the county in
128 which the school is located.

129 7. Work with its cosponsors to monitor the financial
130 management of each FSE charter school.

131 8. Direct charter schools and persons seeking to establish
132 charter schools to sources of private funding and support.

133 9. Actively seek, with the assistance of the department,
134 supplemental revenue from federal grant funds, institutional
135 grant funds, and philanthropic organizations. The commission
136 may, through the department's Grants and Donations Trust Fund,
137 receive and expend gifts, grants, and donations of any kind from
138 any public or private entity to carry out the purposes of this
139 section.

140 10. Review and recommend to the Legislature any necessary
141 revisions to statutory requirements regarding the qualification
142 and approval of municipalities, state universities, community

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colleges, and regional educational consortia as cosponsors for FSE charter schools.

11. Review and recommend to the Legislature any necessary revisions to statutory requirements regarding the standards for accountability and criteria for revocation of approval of cosponsors of FSE charter schools.

12. Act as liaison for cosponsors and FSE charter schools in cooperating with district school boards that may choose to allow charter schools to utilize excess space within district public school facilities.

13. Collaborate with municipalities, state universities, community colleges, and regional educational consortia as cosponsors for FSE charter schools for the purpose of providing the highest level of public education to low-income, low-performing, and underserved student populations. Such collaborations shall:

a. Allow state universities and community colleges that cosponsor FSE charter schools to enable students attending a charter school to take college courses and receive high school and college credit for such courses.

b. Be used to determine the feasibility of opening charter schools for students with disabilities including, but not limited to, children with autism that work with and utilize the specialized expertise of the Centers for Autism and Related Disabilities established and operated pursuant to s. 1004.55.

14. Support municipalities when the mayor or chief executive, through resolution passed by the governing body of the municipality, expresses an intent to cosponsor and establish charter schools within the municipal boundaries.

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15. Meet the needs of charter schools and school districts by uniformly administering high-quality charter schools, thereby removing administrative burdens from the school districts.

16. Assist FSE charter schools in negotiating and contracting with district school boards who choose to provide certain administrative or transportation services to the charter schools on a contractual basis.

17. Provide training for members of FSE charter school governing boards within 90 days of approval of the charter school. The training shall include, but not be limited to, best practices on charter school governance, the constitutional and statutory requirements relating to public records and meetings, and the requirements of applicable statutes and State Board of Education rules.

18. Perform all of the duties of sponsors set forth in s. 1002.33(5)(b) and (20).

(5) APPROVAL OF COSPONSORS.--

(a) The commission shall begin accepting applications by municipalities, state universities, community colleges, and regional educational consortia no later than January 31, 2007. The commission shall review and evaluate all applications for compliance with the provisions of paragraph (c) and shall have 90 days from receipt of an application to approve or deny the application unless the 90-day period is waived by the applicant.

(b) The commission shall limit the number of charter schools that a cosponsor may approve pursuant to its review of the cosponsor's application under paragraph (c). Upon application by the cosponsor and review by the commission of the performance of a cosponsor's current charter schools, the commission may approve a cosponsor's application to raise the limit previously set by the commission.

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(c) Any entity set forth in paragraph (a) that is interested in becoming a cosponsor pursuant to this section shall prepare and submit an application to the commission that provides evidence that the entity:

1. Has the necessary staff and infrastructure or has established the necessary contractual or interagency relationships to ensure its ability to handle all of the administrative responsibilities required of a charter school sponsor as set forth in s. 1002.33(20).

2. Has the necessary staff expertise and infrastructure or has established the necessary contractual or interagency relationships to ensure that it will approve and is able to develop and maintain charter schools of the highest academic quality.

3. Is able to provide the necessary public and private financial resources and staff to ensure that it can monitor and support charter schools that are economically efficient and fiscally sound.

4. Is committed to providing equal access to all students and to maintaining a diverse student population within its charter schools including compliance with all applicable requirements of federal law.

5. Is committed to serving low-income, low-performing, or underserved student populations.

6. Has articulated annual academic and financial goals and expected outcomes for its charter schools as well as the methods and plans by which it will measure and achieve those goals and outcomes.

7. Has policies in place to protect its cosponsoring practices from conflicts of interest.

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33 (d) The commission's decision to deny an application or to
234 revoke approval of a cosponsor pursuant to subsection (7) is not
235 subject to chapter 120 and may be appealed to the State Board of
236 Education pursuant to s. 1002.33(6).

237 (6) COSPONSOR AGREEMENT.--

238 (a) Upon approval of a cosponsor, the commission and the
239 cosponsor shall enter into an agreement that defines the
240 cosponsor's rights and obligations and includes the following:

241 1. An explanation of the personnel, contractual and
242 interagency relationships, and potential revenue sources
243 referenced in the application as required in paragraph (5)(c).

244 2. Incorporation of the requirements of equal access for
245 all students, including any plans to provide food service or
246 transportation reasonably necessary to provide access to as many
247 students as possible.

248 3. Incorporation of the requirement to serve low-income,
249 low-performing, gifted, and underserved student populations.

250 4. An explanation of the academic and financial goals and
251 expected outcomes for the cosponsor's charter schools and the
252 method and plans by which they will be measured and achieved as
253 referenced in the application.

254 5. The conflict-of-interest policies referenced in the
255 application.

256 6. An explanation of the disposition of facilities and
257 assets upon termination and dissolution of a charter school
258 approved by the cosponsor.

259 7. A provision requiring the cosponsor to annually appear
260 before the commission and provide a report as to the information
261 provided pursuant to s. 1002.33(9)(1) for each of its charter
262 schools.

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263 8. A provision requiring that the cosponsor report the
264 student enrollment in each of its sponsored charter schools to
265 the district school board of the county in which the school is
266 located.

267 9. A provision requiring that the cosponsor work with the
268 commission to provide the necessary reports to the State Board
269 of Education.

270 10. Any other reasonable terms deemed appropriate by the
271 commission given the unique characteristics of the cosponsor.

272 (b) No cosponsor may receive applications for charter
273 schools until a cosponsor agreement with the commission has been
274 approved and signed by the commission and the appropriate
275 individuals or governing bodies of the cosponsor.

276 (c) The cosponsor agreement shall be proposed and
277 negotiated pursuant to the timeframes set forth in s.
278 1002.33(6)(i).

279 (d) The cosponsor agreement shall be attached to and shall
280 govern all charter school contracts entered into by the
281 cosponsor.

282 (7) CAUSES FOR REVOCATION OF APPROVAL OF A COSPONSOR.--If
283 at any time the commission finds that a cosponsor is not in
284 compliance, or is no longer willing to comply, with its contract
285 with a charter school or with its cosponsor agreement with the
286 commission, the commission shall provide notice and a hearing in
287 accordance with State Board of Education rule. If after a
288 hearing the commission confirms its initial finding, the
289 commission shall revoke the cosponsor's approval. The commission
290 shall assume temporary sponsorship over any charter school
291 sponsored by the cosponsor at the time of revocation.
292 Thereafter, the commission may assume permanent sponsorship over

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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such school or allow the school's governing body to apply to another sponsor or cosponsor.

(8) CHARTER SCHOOL APPLICATION AND REVIEW.--Charter school applications submitted to the commission or to a cosponsor approved by the commission pursuant to subsection (5) shall be subject to the same requirements set forth in s. 1002.33(6). The commission or cosponsor shall receive and review all applications for FSE charter schools according to the provisions for review of charter school applications under s. 1002.33(6)(b).

(9) APPLICATIONS OF EXISTING CHARTER SCHOOLS.--

(a) An application may be submitted pursuant to this section by an existing charter school approved by a district school board provided that the obligations of its charter contract with the district school board will expire prior to entering into a new charter contract with the commission or one of its cosponsors. A district school board may agree to rescind or waive the obligations of a current charter contract to allow an application to be submitted by an existing charter school pursuant to this section. A charter school that changes sponsors pursuant to this subsection shall be allowed to continue the use of all facilities, equipment, and other assets it owned or leased prior to the expiration or rescission of its contract with a district school board sponsor.

(b) An application to the commission or one of its cosponsors by a conversion charter school may only be submitted upon consent of the district school board. In such instance, the district school board may retain the facilities, equipment, and other assets of the conversion charter school for its own use or agree to reasonable terms for their continued use by the conversion charter school.

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(10) APPLICATION OF CHARTER SCHOOL STATUTE.--

(a) The provisions of s. 1002.33(7)-(12), (14), and (16)-(19) shall apply to the commission and the cosponsors and charter schools approved pursuant to this section.

(b) The provisions of s. 1002.33(20) shall apply to the commission and the cosponsors and charter schools approved pursuant to this section with the exception that the commission or a cosponsor of a charter school approved pursuant to this section may retain no more than the actual cost of its administrative overhead costs expended to sponsor the charter school not to exceed 5 percent of the funding provided to the charter school.

(11) ACCESS TO INFORMATION.--The commission shall provide maximum access to information to all parents in the state. It shall maintain information systems, including, but not limited to, a user-friendly Internet website, that will provide information and data necessary for parents to make informed decisions. At a minimum, the commission must provide parents with information on its accountability standards, links to schools of excellence throughout the state, and public education programs available in the state.

(12) ANNUAL REPORT.--Each year, the chair of the commission shall appear before the State Board of Education and submit a report regarding the academic performance and fiscal responsibility of all charter schools and cosponsors approved under this section.

(13) IMPLEMENTATION.--The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to facilitate the implementation of this section.

Section 2. Paragraphs (d), (e), (f), (g), and (h) of subsection (6) of section 1002.33, Florida Statutes, are

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redesignated as paragraphs (e), (f), (g), (h), and (i),
respectively, a new paragraph (d) is added to that subsection,
and paragraph (a) of subsection (17) of that section is amended,
to read:

1002.33 Charter schools.--

(6) APPLICATION PROCESS AND REVIEW.--Beginning September
1, 2003, applications are subject to the following requirements:

(d) The right to appeal an application denial under
paragraph (c) shall be contingent on the applicant having
submitted the same or a substantially similar application to the
Florida Schools of Excellence Commission or one of its
cosponsors. Any such applicant whose application is denied by
the commission or one of its cosponsors subsequent to its denial
by the district school board may exercise its right to appeal
the district school board's denial under paragraph (c) within 30
days after receipt of the commission's or cosponsor's denial or
failure to act on the application. However, the applicant
forfeits its right to appeal under paragraph (c) if it fails to
submit its application to the commission or one of its
cosponsors by August 1 of the school year immediately following
the district school board's denial of the application.

(17) FUNDING.--Students enrolled in a charter school,
regardless of the sponsorship, shall be funded as if they are in
a basic program or a special program, the same as students
enrolled in other public schools in the school district. Funding
for a charter lab school shall be as provided in s. 1002.32.

(a) Each charter school shall report its student
enrollment to the sponsor ~~district school board~~ as required in
s. 1011.62, and in accordance with the definitions in s.
1011.61. The sponsor ~~district school board~~ shall include each
charter school's enrollment in the district's report of student

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enrollment. All charter schools submitting student record information required by the Department of Education shall comply with the Department of Education's guidelines for electronic data formats for such data, and all districts shall accept electronic data that complies with the Department of Education's electronic format.

Section 3. The following sums of money and full-time equivalent positions are appropriated from general revenue to the State Board of Education for the 2006-2007 fiscal year for the purpose of administering this act:

(1) Three full-time equivalent positions and \$165,000 in approved annual salary rate;

(2) The sum of \$214,630 from recurring general revenue funds for salaries and benefits;

(3) The sum of \$199,238 from recurring general revenue funds for expenses;

(4) The sum of \$5,700 from nonrecurring general revenue funds for operating capital outlay; and

(5) The sum of \$1,179 from recurring general revenue funds for transfer to the Department of Management Services for the Human Resource Services Statewide Contract.

Section 4. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

An act relating to charter schools; creating s. 1002.335, F.S.; providing findings and intent; establishing the Florida Schools of Excellence Commission as a charter school authorizing entity; providing for startup funds; providing for membership of the commission; providing powers and duties of the commission, including serving as

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417 a sponsor of charter schools, approving certain entities
418 to act as cosponsors, approving or denying applications
419 for Florida Schools of Excellence (FSE) charter schools,
420 and developing standards for and evaluating the
421 performance of charter schools; requiring collaboration
422 with municipalities, state universities, community
423 colleges, and regional educational consortia as cosponsors
424 for FSE charter schools; providing requirements for
425 approval of cosponsors by the commission; providing
426 components of required cosponsor agreements; providing
427 causes for revocation of approval of a cosponsor;
428 providing for FSE charter school application and review
429 procedures; authorizing existing charter schools to apply
430 as FSE charter schools; providing for application of
431 specified provisions of law; requiring access to
432 information by parents; requiring the commission to submit
433 an annual report; requiring rulemaking; amending s.
434 1002.33, F.S.; providing requirements with respect to the
435 right to appeal the denial a charter school application
436 denial; revising provisions relating to reporting of
437 charter school student enrollment for purposes of funding;
438 providing an effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a

Bill No. 7171 (strike all)

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Council/Committee hearing bill: Education Council
2 Representative(s) Greenstein offered the following:

3
4 **Amendment to Strike All Amendment (with directory and title**
5 **amendments)**

6 Between line(s) 359-360 and insert:

7 (5) SPONSOR; DUTIES.--

8 (b) Sponsor duties.--

9 1.a. The sponsor shall monitor and review the charter
10 school in its progress toward the goals established in the
11 charter.

12 ~~b.2.~~ The sponsor shall monitor the revenues and
13 expenditures of the charter school.

14 ~~c.3.~~ The sponsor may approve a charter for a charter
15 school before the applicant has secured space, equipment, or
16 personnel, if the applicant indicates approval is necessary for
17 it to raise working capital.

18 ~~d.4.~~ The sponsor's policies shall not apply to a charter
19 school.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a

20 ~~e.5.~~ The sponsor shall ensure that the charter is
21 innovative and consistent with the state education goals
22 established by s. 1000.03(5).

23 ~~f.6.~~ The sponsor shall ensure that the charter school
24 participates in the state's education accountability system. If
25 a charter school falls short of performance measures included in
26 the approved charter, the sponsor shall report such shortcomings
27 to the Department of Education.

28 g. The sponsor shall not be liable for civil damages under
29 state law for personal injury, property damage, or death
30 resulting from an act or omission of an officer, employee,
31 agent, or governing body of the charter school.

32 h. The sponsor shall not be liable for civil damages under
33 state law for any employment actions taken by an officer,
34 employee, agent, or governing body of the charter school.

35 i. The sponsor's duties to monitor the charter school
36 shall not constitute the basis for a private cause of action.

37 2. Immunity for the sponsor of a charter school under
38 subparagraph 1. applies only with respect to acts or omissions
39 not under the sponsor's direct authority as described in this
40 section.

41 3. Nothing contained in this paragraph shall be considered
42 a waiver of sovereign immunity by a district school board.

43
44 A community college may work with the school district or school
45 districts in its designated service area to develop charter
46 schools that offer secondary education. These charter schools
47 must include an option for students to receive an associate
48 degree upon high school graduation. District school boards shall
49 cooperate with and assist the community college on the charter

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a

50 application. Community college applications for charter schools
51 are not subject to the time deadlines outlined in subsection (6)
52 and may be approved by the district school board at any time
53 during the year. Community colleges shall not report FTE for any
54 students who receive FTE funding through the Florida Education
55 Finance Program.

56
57 ===== D I R E C T O R Y A M E N D M E N T =====

58 Remove line(s) 353 and insert:

59 Section 2. Subsection (5), paragraphs (d), (e), (f), (g),
60 and (h) of
61

62 ===== T I T L E A M E N D M E N T =====

63 Remove line(s) 434 and insert:

64 1002.33, F.S.; providing that the sponsor of a charter school
65 shall not be liable for civil damages for certain actions;
66 providing that the duty to monitor a charter school shall not be
67 the basis for a private cause of action; prescribing limits on
68 immunities of a charter school sponsor; providing requirements
69 with respect to the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1b

Bill No. 7171 strike all

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Education Council

Representative(s) Greenstein offered the following:

Amendment to Strike All Amendment (with title amendment)

Between line(s) 375-376 and insert:

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.--

(f) If a charter is not renewed or is terminated, the charter school is responsible for all debts of the charter school. The district may not assume the debt from any contract ~~for services~~ made between the governing body of the school and a third party, except for a debt that is previously detailed and agreed upon in writing by both the district and the governing body of the school and that may not reasonably be assumed to have been satisfied by the district.

===== T I T L E A M E N D M E N T =====

Remove line(s) 436 and insert:

denial; expanding a school district's immunity from assumption of contractual debts; revising provisions relating to reporting of

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